# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/089,106 | 03/26/2002 | Sadamitsu Koike | 219200US2PCT | 5506 |

| | | | EXAMINER |
|---|---|---|---|
| 22850 | 7590 | 06/09/2004 | ARNOLD, ADAM |

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| ART UNIT | PAPER NUMBER |
|---|---|
| 2671 | |

DATE MAILED: 06/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | | Application No. | Applicant(s) |
|---|---|---|---|
| | | 10/089,106 | KOIKE ET AL. |
| | | Examiner | Art Unit |
| | | Adam Arnold | 2671 |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1) ☐ Responsive to communication(s) filed on _____ .
2a) ☐ This action is **FINAL**.     2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4) ☒ Claim(s) *1-7* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-7* is/are rejected..
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

## Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on *26 March 2002* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☒ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date *3 and 5*.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

# DETAILED ACTION

## *Claim Rejections - 35 USC § 112*

1.      The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2.      Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 1, the applicant states "exporting said bitmapped image to the memory of said monitor unit for immediate reproduction of said visual information on said display." Further down in the same claim, the applicant states "said conversion means storing said bitmapped image for each said rectangular frame in said memory." These limitations appear contradictory in that the first calls for immediate reproduction, while the second calls for storage of the same data.

## *Claim Rejections - 35 USC § 103*

3.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.      Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buxton, U.S. Patent No. 6,469,714 in view of Halliday, U.S. Patent No. 5,880,740. Referring to claim 1, Buxton discloses a system for designing visual information (col. 2, line 45) on a monitor unit
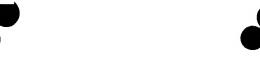
(col. 4, line 17) in combination with a programmable logic controller (col. 3, line 54, i.e., a

computer system, which is "programmable" and "controls logic") comprising: an image design

tool operating on a personal computer (col. 2, line 45); the monitor unit connected to the PLC

(col. 4, line 17 and figure 1, which shows display connected through bus to computer) which

executes a program for controlling an operation of a device coupled to the PLC (col. 4, line 55,

the device being an "object"); said monitor unit including a display, control section and memory

(col. 4, line 17 and Figure 1, which shows memory attached to the display controller); said

display giving task information to be performed by the device managed by the PLC (col. 4, lines

55-57) and including a touch screen for entry of a specific instruction to be carried out by the

PLC (col. 4, line 13); said image design tool creating a source display code for displaying visual

information on the display (col. 4, lines 40-44); said image design tool exporting the bitmapped

image to the memory of the monitory unit for immediate display (col. 22, lines 54-56, where the

variable "IDA_POPUPICON" represents a storage location in memory); said monitor provided

with a memory for storing the bitmapped image (Figure 1); and said image design tool having

means for drawing a plurality of rectangular frames to be included in the visual information

(Figure 4A, et seq), each frame being written in said source display code (col. 24, line 30), and

storing the frame image in memory (col. 24, line 29, where the "getFrame" method returns a

frame which has been stored in memory). Buxton does not disclose translating the source code

into a bitmapped image. Halliday discloses translating source code (col. 4, lines 8-9, i.e., the

user input which is translated by "driver software") into a bitmapped image (see Abstract). At

the time the invention was made, it would have been obvious to a person of ordinary skill in the

art to translate the source code into a bitmapped image. One of ordinary skill in the art would

have been motivated to do this in order to facilitate the creation of composite images onto a

display screen (see Halliday, col. 1, lines 58-66).

Referring to claim 2, Buxton discloses a touch screen switch on the display (col. 4, line

13) for generating a switch output to the PLC in response to the user's action of touching a

particular area on the display (col. 7, line 59, showing a toggle switch based on user input); said

image design tool having a means of creating a switch control code for defining switch output

and a transfer means of transferring the code to memory (col. 17, lines 22-23); and processing

the control code in order to associate output to a particular function (col. 17, lines 22-23).

Referring to claim 3, Buxton discloses where transfer means feed source code to memory

(col. 17, line 22—"setSelection") and retrieves the display code from memory (col. 17, line 22—

"getSelection"); the remainder of the claim merely repeats limitations found in claims 1 and 3.

Referring to claim 4, Buxton discloses where the design tool has a screen area for

drawing visual information (Figure 4A), the screen area divided into a plurality of unit zones

extending in parallel with each other (Figure 4A) and having a length and unit width defined by a

fixed number of dots (col. 9, lines 60-61) and the design tool having a reshaping means for

resizing the rectangular frame into an integer multiple of the unit width (col. 9, lines 57-67, the

unit width being one pixel). The remainder of the claim merely repeats limitations found in

claim 1.

Referring to claim 5, Buxton discloses where the rectangular frame corresponds to a

touch sensitive screen (col. 10, line 65, where the reference states that any component, the frame,

can connect to the InfoBus architecture, and a request for information from the user via a touch

screen). The remainder of the claim merely repeats limitations found in claim 1.

Referring to claim 6, Buxton discloses selecting a particular linguistic code from a set of different codes (see col. 7, lines 49-50, where the action bar "accommodates all supported languages," which implies more than one). Buxton does not disclose including an identifier of identifying the selected linguistic code into the source code in order to reproduce the selected code on the display. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to include an identifier of the selected linguistic code into the source code. One of ordinary skill in the art would have been motivated to do this in order to identify the particular code chosen and display it on the screen (as envisioned in Buxton, col. 7, lines 49-55).

Referring to claim 7, Buxton discloses a virtual image area, which has a size greater than a screen size given to the display and an actual image area which has a size equal to the screen size of the display (col. 9, lines 60-61) and which trims the virtual image from the virtual image area into an actual image fitted in the screen size (col. 9, lines 65-67, i.e., controls that are anchored will remain, "fitted" in the screen).

## *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam Arnold whose telephone number is 703 305 8413. The examiner can normally be reached on Monday through Friday from 7:30 A.M. to 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Zimmerman, can be reached on 703 305 9798. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MARK ZIMMERMAN
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